

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SHANE K. HOPKINS,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-870-SLR
)	
JOHN PUSEY, JOSEPH SMITH,)	
DAVID PIERCE, LISE MERSON,)	
JUDITH MULLEN, DREWRY FENNELL,)	
M. JANE BRADY)	
)	
Defendants.)	

**DEFENDANTS PUSEY AND SMITH’S FIRST SET OF
INTERROGATORIES DIRECTED TO PLAINTIFF SHANE HOPKINS**

Demand is hereby made for full and complete Answers to the following Interrogatories under oath within thirty days. These Interrogatories are continuing and require that supplemental responses be filed in accordance with the Federal Rules of Civil Procedure.

DEFINITIONS AND INSTRUCTIONS

- A. The word “identify” and words derived therefrom shall have the following meanings:
1. As applied to an individual, “identify” means to state:
 - a. The individual’s name;
 - b. The individual’s last known home and business address and the telephone numbers for each such address;
 - c. The individual’s occupation and title, if any, as of the time to which the interrogatory is directed and as of the present time; and
 - d. The role played by the individual in relation to the subject matter of the interrogatory.

2. As applied to a document, “identify” means to state:
 - a. Its nature (e.g., letter, memorandum, telegram, note, drawing, photograph, etc.);
 - b. Its subject matter;
 - c. By whom it was made and to whom it was directed;
 - d. The date upon which it was made; and
 - e. The identity of all individuals or organizations who have possession of the original and any copies.

Note: Production of each document is acceptable in lieu of stating the information in points (a) through (d) of this definition.

3. “Describe” means to set forth fully the underlying facts (rather than ultimate facts or conclusions of fact or law), including date, time and location.

4. “Person” shall mean any natural person, any corporation, partnership, association, joint venture, firm or other business enterprise or legal entity, and means both singular and plural.

5. “DOC” shall mean the Department of Correction for the State of Delaware.

6. “You” and “your” shall mean the Plaintiff in this action, Brian Francisco.

7. “Denial” shall mean any response to a request for admission which directly refutes, opposes, rejects, disagrees with any of the requests for admission herein as set forth in Rule 36 of the Federal Rules of Civil Procedure.

8. “Qualified”, “qualify”, and “qualification” shall have the same meanings as those set forth at Rule 36 of the Federal Rules of Civil Procedure.

9. “Lack of information or knowledge” shall have the same meaning as set forth at

Rule 36 of the Federal Rules of Civil Procedure.

B. If you object to any of the interrogatories herein, whether in whole or in part, on the ground that the information sought therein is privileged or confidential:

1. Describe any such communication sought to be protected, including its subject matter; and
2. Identify the individual by whom it was made, the individual to whom it was directed, and all individuals present when it was made; and
3. Identify any document in which it was recorded, described or summarized; and
4. Identify any such document sought to be protected.

INTERROGATORIES

INTERROGATORY # 1

State your full name, and any other names you have gone by or used, Social Security number, date of birth, and any other date of birth you may have used or given, place of birth, and highest level of formal education that you successfully completed.

ANSWER:

INTERROGATORY # 2

State each address where you have resided since the age of eighteen (18) providing the dates for each residence.

ANSWER:

INTERROGATORY # 3

Please provide all of your places of employment during the past 10 years, or the

10 years preceding your incarceration. For each place of employment, please provide:

- (a) your reasons, in detail, for not continuing such employment;
- (b) any occasion in which you were investigated for acts of misconduct, disciplined in any manner, fired, asked to resign or in any way reprimanded during the course of your employment; and
- (c) for each such occasion provided in (d) above, identify the date of such occasion, describe the events that occurred, identify any action taken against you as a result of such incident, identify all persons having knowledge of facts relating to the incident, and identify all documents evidencing, or relating to those facts.

ANSWER:

INTERROGATORY # 4

Identify all of your criminal convictions in the past 15 years, including the court, jurisdiction, date of conviction, date of sentencing, and the terms of the sentence.

ANSWER:

INTERROGATORY # 5

With respect to each and every claim in your Complaint:

- (a) Identify all facts that refute, relate to, or support your contention;
- (b) Identify the specific behavior or conduct that you allege that each Defendant engaged in;
- (c) Identify all persons with knowledge of such contention or facts;
- (d) Identify all documents that reflect, refer to or relate to such contention or facts.

ANSWER:

INTERROGATORY # 6

With regard to the specific allegations in your Complaint please describe in precise detail, what Defendants Smith and Pusey said to you.

ANSWER:

INTERROGATORY # 7

Identify and describe in detail the alleged threats you claim were made against you in paragraphs 16, 17, and 18 including for each alleged threat:

- a) precise description of the alleged threat
- b) who made the alleged threat
- c) exact date, time and place of the alleged threats
- d) name of any witnesses to the alleged threat

ANSWER:

INTERROGATORY # 8

Identify and describe all accidents, injuries and ailments you have had in the past 15 years, including the history of any mental illness.

ANSWER:

INTERROGATORY # 9

Describe in detail all injuries you allege that you sustained in the incident, including the part of the body injured, medical treatment received for the injury, and medication prescribed directly due to the injury.

ANSWER:

INTERROGATORY # 10

Describe any medical treatment you received as a result of the allegations in the Complaint, specifically addressing:

- a. whether you requested any medical or dental treatment at any DOC

- facility which you believe in any way resulted from the allegations in your complaint; and
- b. the date and method used for any request listed in subparagraph a. of this interrogatory.

ANSWER:

INTERROGATORY # 11

Have you, or anyone acting on your behalf, obtained from any person any statement, declaration, petition, or affidavit concerning this action or its subject matter? If so, state:

- a. The name and last known address of each such person; and
- b. When, where, by whom and to whom each statement was made, and whether it was reduced to writing or otherwise recorded.

ANSWER:

INTERROGATORY # 12

Either prior to or subsequent to the alleged incident(s) referred to in your Complaint, have you ever suffered any injuries, illness or diseases in those portions of the body claimed by you to have been affected as alleged in the Complaint? If so, state:

- a. A description of the injuries or diseases you suffered, including the date and place of occurrence;
- b. The names and addresses of all hospitals, doctors, or practitioners who rendered treatment or examination because of any such injuries or diseases.

ANSWER:

INTERROGATORY # 13

Identify any individual you allege witnessed in any manner any aspect of the alleged incident.

ANSWER:

INTERROGATORY # 14

Identify all persons having knowledge of the allegations in the Complaint whom you intend to call as a witness at trial, excluding expert witnesses.

ANSWER:

INTERROGATORY # 15

Identify any physical evidence which relates in any way to any of the facts alleged in the complaint or answer, or which you intend to offer in evidence at trial.

ANSWER:

INTERROGATORY # 16

Identify:

- (a) every verbal communication you have had with *anyone* concerning the incident or this litigation;
- (b) any person with knowledge of such communication(s); and
- (c) all documents supporting, evidencing, referring or relating to those communications.

ANSWER:

INTERROGATORY # 17

Identify:

- (a) any communication you have had with any Defendant concerning the incident;
- (b) any person with knowledge of such communication(s); and
- (c) all documents supporting, evidencing, referring or relating to those communications.

ANSWER:

INTERROGATORY # 18

State in precise detail the following:

- a) all psychiatric diagnoses you have ever been given
- b) when you were diagnosed with any psychiatric illness
- c) the name of the person who made the psychiatric diagnosis
- d) all places where you received mental health treatment
- e) all incidences of any mental health treatment received since November 26, 2004.

ANSWER:

INTERROGATORY # 19

State the total amount of compensatory damages you are claiming and the computation used to arrive at the sum.

ANSWER:

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/Lisa Barchi
Lisa Barchi I.D. # 3927
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Department of Justice
820 N. French Street, 6th floor
Wilmington, DE 19801
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lisa.barchi@state.de.us

Dated: November 21, 2006

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2006, I electronically filed *Defendants Pusey and Smith's Interrogatories to Plaintiff* with the Clerk of Court using CM/ECF. I hereby certify that on November 21, 2006 I have mailed by United States Postal Service, the document to the following non-registered participants:

Shane Hopkins
SBI # 253918
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Lisa Barchi
Deputy Attorney General
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